

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

Tower Street Capital Management, Inc.,

Plaintiff,

vs.

KnightBrook Insurance Company,

Defendant.

Civil Action No.: 3:17-1781-JFA

**DEFENDANT'S NOTICE OF  
REMOVAL**

**TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA; THE CIRCUIT COURT FOR RICHLAND COUNTY, SOUTH CAROLINA; AND ALL PARTIES AND ATTORNEYS OF RECORD:**

Please take notice that Defendant KnightBrook Insurance Company ("Defendant"), pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, hereby removes the above-entitled action from the Court of Common Pleas for Richland County, State of South Carolina, to the United States District Court for the District of South Carolina, Columbia Division.

1. Plaintiff filed its Summons and Complaint in this matter on June 2, 2017. (A copy of the Summons and Complaint is attached hereto as **"Exhibit A"**). The Notice of Removal is filed within thirty (30) days of service pursuant to 28 U.S.C. § 1446(b)(1).

2. Defendant accepted service of Plaintiff's Summons and Complaint on June 16, 2017. (A copy of the signed, filed Acceptance of Service is attached hereto as **Exhibit "B"**). This action is pending in the Court of Common Pleas of Richland County, State of South Carolina, under Case Number 2017-CP-40-03418.

3. Defendant is entitled to removal of the aforesaid civil action to this Court on the grounds of diversity jurisdiction, pursuant to 28 U.S.C. § 1332, in that complete diversity exists between Plaintiff and Defendant and the matter in controversy in the action at the time of commencement and at the present time, exceeds the sum of Seventy-Five Thousand and no/100

(\$75,000.00) Dollars, exclusive of interest and costs. Specifically, Plaintiff is a citizen of South Carolina, (Complaint at ¶ 1), and Defendant is a citizen of Delaware, its State of incorporation, and California, the State of its principal place of business. Plaintiff has requested broadly all damages proven in its Complaint and has not otherwise limited its damages claim.

4. Defendant submits this Notice of Removal without waiving any defenses to the claims asserted by Plaintiff or conceding that Plaintiff has pled claims upon which relief can be granted.

5. Defendant will timely provide a copy of the Notice of Removal to the Clerk of Court for Richland County.

6. By copy of this Notice of Removal, and in accordance with the attached Certificate of Service, Defendant is providing notice to Plaintiff in this action and advising Plaintiff of this filing pursuant to 28 U.S.C. § 1446(d).

7. Defendant has simultaneously served herewith its Rule 7.1 Corporate Disclosure Statement, responses to Local Rule 26.01 Interrogatories, and will timely file its response to the Complaint.

8. In the event any question arises as to the propriety of removal of this action, Defendant reserves the right to amend or supplement this Notice of Removal, and further request the opportunity to present briefs, oral arguments and, if necessary, affidavits and other evidence in support of its position that removal is proper.

*[Signature block on following page]*

s / James G. Long, III

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July 7, 2017

Columbia, South Carolina